

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: DECEMBER 6, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SUP-25130 - APPLICANT: MOUNTAIN VIEW ESTATES -  
OWNER: 2006 ROBERT SCOTT CARL LIVING TRUST**

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**\*\* CONDITIONS \*\*****STAFF RECOMMENDATION: APPROVAL**, subject to:**Planning and Development**

1. A wet-sealed survey site plan shall be submitted to the Planning and Development Department demonstrating compliance with Title 19.14.100 with regard to the separation distance from the proposed off-premise sign to the nearest existing off-premise sign.
2. Conformance to all minimum requirements under LVMC Title 19.04.010 for the Off-Premise Sign use.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. This Special Use Permit shall be reviewed in two (2) years, at which time the City Council may require removal of the Off-Premise Sign. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign be removed.
5. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.
6. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Sign.
7. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
8. The Off-Premise Sign supporting structure shall be designed to include finish materials that complement the existing on-site building. The entire face-area of both sides of the Off-Premise Sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

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9. Bird deterrent devices shall be installed on the sign.
10. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**Public Works**

11. The proposed sign shall not be located within the public right-of-way or interfere with Site Visibility Restriction Zones. The proposed ground mounted base shall not be located within existing or proposed public sewer or drainage easements.

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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Special Use Permit for a proposed 40-foot high, 14-foot by 48-foot off-premise sign at 2603 Highland Drive. The sign is of a flag-type design and will extend westward over the top of the existing building on site.

The off-premise sign complies with all Title 19 requirements; therefore, staff recommends approval. Because the proposed location is very close to the 300-foot distance separation required between off-premise signs, a stamped survey with an engineer or surveyor's signature is required as a condition of approval.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
Month/date/year	Action
01/12/61	The Board of City Commissioners approved a Rezoning (Z-0062-60) from R-E (Residence Estates) to M-1 (Light Industry) on property generally located south of San Francisco Avenue [Sahara Avenue] between Highland Drive and the proposed freeway [Interstate 15]. The M-1 District was later reclassified as M (Industrial).
02/20/02	The City Council approved a Special Use Permit (U-0156-01) for used motor vehicle sales at 2605 Highland Drive. The Planning Commission and staff recommended approval.
05/17/06	The City Council approved a request (GPA-9219) to amend the future land use designation on parcels located within the Las Vegas Redevelopment Plan area and Redevelopment Plan expansion area to Commercial, Industrial, Mixed Use or Public Facilities. The Planning Commission and staff recommended approval.
10/04/07	Code Enforcement conducted an inspection (#58494) in response to a complaint that the front window at 2605 Highland Drive had been broken for over 30 days. The inspection was passed.
<b><i>Related Building Permits/Business Licenses</i></b>	
Month/date/year	Description
05/27/93	A business license (M29-00001) was issued for motorcycle sales/service; this business changed to the current location (2605 Highland Drive) on 02/10/99. The license is still active.
10/19/98	A building permit (#98020904) was issued for changing out a roof mechanical unit. A final inspection was completed 01/08/99.

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05/13/99	A building permit (#99009152) was issued for a non work certificate of occupancy at 2605 Highland Drive for a motorcycle sales use. A final inspection was completed 05/14/99.
06/28/02	A business license (A44-00013) was issued 06/28/02 for limited auto sales; this business changed to the current location (2605 Highland Drive) on 09/05/06. The owner stated in the application that this is ancillary to motorcycle sales use at the same address. The license is still active.
03/08/07	A business license for an ice machine supply contractor (C11-08903) was issued at 2603 Highland Drive. The license is still active.
<b><i>Pre-Application Meeting</i></b>	
10/12/07	Submittal requirements for a Special Use Permit for an off-premise sign were discussed.
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required for this application, nor was one held.	
<b><i>Field Check</i></b>	
10/31/07	The site is developed with an in-line commercial building with three suites (motorcycle sales and ice machine contractor). The building appears to be about 15-20 feet in height on the south end. Vehicles are parked in front of the building as well as facing the street. The only striped spaces are on the south side of the lot in front of the building. The proposed billboard would be located in the parking area in front of the building and would extend over the building, which has no side setbacks. There are existing power lines on the east side of Highland Drive. The closest billboard appears to be on the east side of Highland adjacent to a sexually oriented business.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	0.40 acres (17,500 SF)

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Office, Motorcycle/Motor Scooter Sales	LI/R (Light Industry/Research)	M (Industrial)
North	Offices	LI/R (Light Industry/Research)	M (Industrial)
South	Contractor Supply Office	LI/R (Light Industry/Research)	M (Industrial)
East	Contractor Supply Office	LI/R (Light Industry/Research)	M (Industrial)
West	Light Manufacturing	LI/R (Light Industry/Research)	M (Industrial)

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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
Redevelopment Plan Area (Industrial)	X		Y

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>			
A-O Airport Overlay District (175 Feet)	X		Y
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

## DEVELOPMENT STANDARDS

### Minimum Distance Separation Requirements:

<b>Standards</b>	<b>Code Requirement</b>	<b>Provided</b>	<b>Compliance</b>
Off-Premise Sign	Minimum 300-foot distance separation from any other off-premise sign	Approx. 300 feet to NE Approx. 410 feet to W	Yes*
Off-Premise Sign	Minimum 300-foot distance separation from nearest property line of a lot in the U or any "R" zoning district	Nearest U or "R" property is approximately 1,450 feet to NW	Yes
Off-Premise Sign within 660 feet of right-of-way and which can be read from I-15, I-515, U.S. 95 or Oran K. Gragson Highway and is oriented toward these rights-of-way	Minimum 750-foot distance separation from any other off-premise sign along the same frontage	Approximately 245 feet from I-15 ROW; determined not to be oriented toward I-15 freeway	N/A

\*The applicant will need to indicate compliance on the site plan through survey; the existing off-premise sign is very close to 300 feet from the location of the proposed off-premise sign.

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**Locational Requirements:**

<b>Standards</b>	<b>Code Requirement</b>	<b>Provided</b>	<b>Compliance</b>
Location	No off-premise sign may be located within the public right-of-way	On property owned by the 2006 Robert Scott Carl Living Trust	Yes
Location	No off-premise sign may be located within the Off-Premise Sign Exclusionary Zone	Not within the Exclusionary Zone	Yes
Zoning	Off-premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	M District	Yes
Area	No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.  Max. advertising height 30' Max. advertising width 60'	14'H x 48'W = 672 SF No embellishments	Yes
Height	No higher than 40 feet from grade at the point of construction, except within 60 feet of right-of-way street to which it is oriented may be constructed to maximum of 55 feet if a significant portion of the display surface is obscured from view from the travel lanes of the street	Oriented to Highland Drive. Located 26.5 feet from the Highland ROW Center of sign is 50.5 feet from Highland ROW Center of sign is 10.5 feet from south PL Proposed 40 feet high	Yes
Setback	Off-premise signs shall not be located closer than 10 feet to the ROW line of a freeway or closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.	Set back 245' from I-15 ROW Set back approx 150' from intersection of Highland Drive and Sutter Avenue	Yes
Screening	All structural elements of an off-premise sign to which the display panels are attached shall be screened from view.	Screened	Yes
Other	All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Pylon sign attached to ground Flag style	Yes

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## **ANALYSIS**

The proposed off-premise sign is located in an industrial area between I-15 and the Union Pacific Railroad line in an area appropriate for this use. However, it is not oriented toward I-15. The sign is a partial flag design that will hang over the existing building at the south end of the site. The site plan claims that no parking spaces will be taken for the construction of the billboard; however, automobiles can park in the area proposed for the sign that is indicated on the site plan.

Two spaces are striped for “customer parking” in front of the building in the area of the proposed location. The site is parking impaired and provides 11 spaces.

The sign as proposed meets the off-premise sign standards contained in Title 19.14, including those for distance separation, location and height. However, the proposed sign is very close to encroaching within the required 300-foot separation distance from an existing billboard to the northeast of the site. To ensure that the standards are satisfied, a condition of approval is recommended requiring a stamped, signed survey demonstrating compliance prior to the issuance of a building permit for the off-premise sign.

## **FINDINGS**

The following findings must be made for a Special Use Permit:

- 1. “The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The subject site is located within an M (Industrial) zoning district where neighboring land uses typically match the intensity of an off-premise sign use. The use will therefore be compatible with the adjacent offices and shops.

- 2. “The subject site is physically suitable for the type and intensity of land use proposed.”**

The subject site is suitable for the intensity of an off-premise sign use. The sign will extend over the existing building and will be visible to traffic along Highland Drive.

- 3. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

The site is served by Highland Drive and an alley with access to Westwood Drive and Presidio Avenue; however, the off-premise sign use does not require vehicular access.

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- 4. “Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

Approval of this Special Use Permit will not compromise the public health, safety and welfare, as its permit is subject to ongoing City inspections and enforcement.

- 5. The use meets all of the applicable conditions per Title 19.04.**

Title 19.04 cross references Title 19.14.100, which contains the standards applicable to off-premise signs. All standards in this section are satisfied by the proposal. Regular maintenance of the sign is required as a condition of approval.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 13

**ASSEMBLY DISTRICT** 10

**SENATE DISTRICT** 7

**NOTICES MAILED** 58

**APPROVALS** 0

**PROTESTS** 0